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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

NORMA SHAPIRO, individually and in her capacity as  
Trustee for the Norma Shapiro Revocable Declaration of  
Trust Under Agreement Dated 9/16/2008 and the Trust  
Under Will of Philip L. Shapiro; NORMA SHAPIRO  
DECLARATION OF TRUST UNDER AGREEMENT  
DATED 9/16/2008, REVOCABLE TRUST; TRUST

No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04486 (CGM)

UNDER WILL OF PHILIP SHAPIRO; and MARTIN  
ROSEN, in his capacity as Trustee of the Trust Under  
Will of Philip L. Shapiro,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY  
DISMISSAL OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Norma Shapiro, individually and in her capacity as Trustee for the Norma Shapiro Revocable Declaration of Trust Under Agreement Dated 9/16/2008 and the Trust Under Will of Philip L. Shapiro, Norma Shapiro Declaration of Trust Under Agreement Dated 9/16/2008, Revocable Trust; Trust Under Will of Philip Shapiro, and Martin Rosen, in his capacity as Trustee of the Trust Under Will of Philip L. Shapiro (“Defendants”) by and through their counsel, Carole Neville and Arthur Ruegger of Dentons US LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed and served the Complaint against the Defendants.
2. On April 16, 2014, Defendants served an answer to the Complaint.
3. On June 4, 2021, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

(a) In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding, and dismissal of the adversary proceeding, subject to the right to re-open the Adversary Proceeding

for any uncured failure of Defendants to perform their obligations under the terms of the settlement agreement.

4. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

5. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York  
June 7, 2021

Of Counsel:

**BAKER HOSTETLER LLP**

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Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L.  
Madoff*

**DENTONS US LLP**

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*Attorneys for Defendants*

**SO ORDERED.**

**Dated: June 8, 2021  
Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

**Hon. Cecelia G. Morris  
Chief U.S. Bankruptcy Judge**